

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,

Plaintiff

vs.

No. 04-1258-T/An

45.50 ACRES OF LAND, MORE OR LESS
SITUATED IN GIBSON COUNTY,
TENNESSEE, and MARTHA GREEN
THOMAS, ROBERT GREEN, MILAN
PUBLIC UTILITIES, CITY OF MILAN,
JEFF SMITH, FLOYD FLIPPIN,
TENNESSEE ATTORNEY GENERAL
AND ALL OTHER UNKNOWN PARTIES

Defendant

FILED BY _____ D.C.
05 APR 15 PM 1:43
ROBERT A. DE TROUO
CLERK OF U.S. DIST. CT.
W.D. OF TN. JACKSON

Pursuant to the scheduling conference set by written notice, the following dates and
are established as the final dates for:

INITIAL DISCLOSURE PURSUANT TO Fed.R.Civ.P. 26(a)(1): April 1, 2005

JOINING PARTIES:

For Plaintiff: April 1, 2005

For Defendants: April 1, 2005

AMENDING PLEADINGS:

For Plaintiff: April 1, 2005

For Defendants: April 1, 2005

COMPLETING ALL DISCOVERY:

(a) DOCUMENT PRODUCTION, INTERROGATORIES REQUESTS FOR

ADMISSION, and DEPOSITIONS: September 30, 2005

This document entered on the docket sheet in compliance
with Rule 58 and/or 79 (a) FRCP on 04-19-05

24

(b) EXPERT WITNESS DISCLOSURE (Rule 26)

(1) DISCLOSURE OF PLAINTIFF'S RULE
26 EXPERT INFORMATION: **July 15, 2005**

(2) DISCLOSURE OF DEFENDANT'S
RULE 26 EXPERT INFORMATION: **August 15, 2005**

(c) EXPERT WITNESS DEPOSITIONS: **September 30, 2005**

FILING DISPOSITIVE MOTIONS: November 1, 2005

FINAL LIST OF WITNESSES AND EXHIBITS (RULE 26(a)(3)):

- (1) For Plaintiff: 45 days before trial
- (2) For Defendant: 30 days before trial

Parties shall have 10 days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last 2 days and is set for a **JURY** trial on WEDNESDAY, FEBRUARY 15, 2006 and a proposed pretrial order is due by FRIDAY, FEBRUARY 3, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the court at least ten days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admission must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allows 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or the service of the response, answer, or objection which is the subject of the motion. If default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer, or objection shall be waived.

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed.R.Civ.P. 12, 56, 59, and 60 shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is

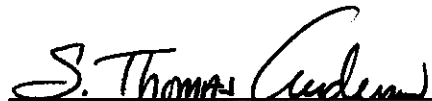
necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed upon by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court annexed attorney mediation or private mediation after the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

IT IS SO ORDERED.

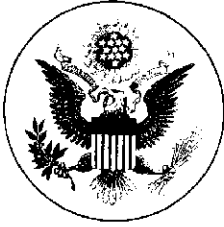

S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE
DATE: April 15, 2005

SUBMITTED AND APPROVED:

TERRELL L. HARRIS
United States Attorney

By: _____
Gary A. Vanasek (BPR 4675)
Assistant U.S. Attorney
Suite 811
200 Jefferson Avenue
Memphis, TN 38103__

Floyd S. Flippin (BPR 010442)
Attorney for Defendant Martha Green Thomas
FLIPPIN & ATKINS P.C.
P.O. Box 160
Humboldt, TN 38343



Notice of Distribution

This notice confirms a copy of the document docketed as number 24 in case 1:04-CV-01258 was distributed by fax, mail, or direct printing on April 19, 2005 to the parties listed.

Floyd S. Flippin
ADAMS RYAL & FLIPPIN
1302 Main Street
Humboldt, TN 38343

Gary A. Vanasek
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable James Todd
US DISTRICT COURT